REMARKS/ARGUMENTS

The Office Action mailed September 16, 2005, has been received and the Examiner's comments carefully reviewed. No new matter has been added. Favorable reconsideration of this application is requested in view of the following remarks.

Claim Rejections - 35 USC § 103

In the Office Action, claims 50 and 54 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lim 5685740 in view of Sangree et al 6807068. Applicants respectfully traverse this rejection.

Claim 50 recites, among other things, a cap manufactured of a material configured to minimize transmission of electrical signal away from its intended path, the cap constructed to fit about a jack including a port for receiving a plug, wherein the cap includes carbon filled material, the carbon in the carbon filled material being conductive, wherein the conductive material of the cap is not grounded.

Firstly, unlike the invention of claim 50, the termination cap (26, 28) in Lim is grounded and is used to ground the conductive cable shield. See for example column 5, lines 48-51 in Lim: "...the stuffer member (28) and the sheet member (26) defining structures jointly operating to provide electrical continuity between the cable shield and each of the stuffer member and the sheet member." The cap featured in the invention of claim 50 is used for minimizing transmission of electrical signal away from its intended path (i.e., reduce crosstalk) and is not used to ground the shield of a cable terminated to the jack.

Secondly, the cap (26, 28) disclosed in Lim is not made out of carbon-filled material and the suggested combination of this reference with the Sangree reference in order to arrive at the cap featured in claim 50 finds no motivation or suggestion in either of the references, Lim or Sangree. Sangree discloses a plastic EMI shield that has embedded conductive materials. Since the shield in Lim provides an electrical path to ground the shielded terminated cable, a plastic shield such as the one disclosed in Sangree would not be used in the cap of Lim to provide for grounding of the terminated shielded cable. Moreover, even if the EMI shield in Sangree is

considered to be overall conductive and is considered to be suitable for use with the connector of Lim for grounding the shielded cable, there is simply no motivation or suggestion in Lim to replace the cap in Lim with the EMI shield in Sangree. Lim discloses a fully metal sheet member 26 for the cap, which provides for better conduction than the plastic shield in Sangree that has carbon embedded parts. One skilled in the art would have no motivation to replace the metal cap of Lim with the plastic shield of Sangree that has carbon embedded parts, especially since the cap in Lim is used to ground a shielded cable.

Thus, for at least the reasons stated above, independent claim 50 and dependent claim 54 are patentable over Lim in view of Sangree et al and withdrawal of this rejection is respectfully requested.

In the Office Action, claims 55-58 and 60-62 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Sangree et al as applied to claims 50 and 54 above, and further in view of Arnett et al 6746283. Applicants respectfully traverse this rejection.

Claim 55 recites, among other things, a cap manufactured of a material configured to minimize transmission of electrical signal away from its intended path, the cap constructed to fit about the jack, wherein the cap includes an electrically non-conductive material which is impregnated with an electrically conductive material such that the cap is overall electrically non-conductive, wherein the electrically conductive material of the cap is not constructed to be grounded when the jack is terminated to a cable.

As discussed above with respect to claim 50, the termination cap (26, 28) in Lim is configured to be grounded when the jack is terminated to a cable. The conductive material of the cap featured in claim 55 is not constructed to be grounded when the jack is terminated to a cable.

Moreover, as discussed previously, there is no motivation either in Lim or Sangree to replace the fully metal cap of Lim with a plastic shield of Sangree that has carbon embedded parts, especially given that the cap in Lim is used to ground a shielded cable. One of ordinary skill in the art would not consider Sangree's less conductive EMI shield when one of the

purposes of the cap in Lim is to provide a continuous electrical path in terminating and grounding a shielded electrical multiconductor cable.

Arnett et al fails to remedy the deficiencies of Lim in combination with Sangree et al. Specifically, Arnett fails to disclose a cap including an electrically non-conductive material which is impregnated with an electrically conductive material such that the cap is overall electrically non-conductive, wherein the electrically conductive material of the cap is not constructed to be grounded when the jack is terminated to a cable. For at least this reason, claim 55 is believed to be patentable over Lim in view of Sangree et al, and further in view of Arnett et al.

Claims 56-58 and 60-62 depend from and further modify claim 55 and are patentable for at least the same reasons specified with respect to claim 55.

Applicants would also like to separately address the rejection regarding claim 62 and would like to provide additional reasons why claim 62 is patentable over Lim in view of Sangree et al. Regarding the rejection of claim 62, Applicants respectfully disagree with the Examiner's statement that it would have been obvious to use the assembly of Lim with an unshielded cable if shielding of the cable were deemed unnecessary in a particular situation. Applicants respectfully submit that the Examiner is applying an improper "obvious to try" rationale in support of an obviousness rejection. Please see MPEP § 2145(X)(B). As discussed in MPEP § 2141.03, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify or combine reference teachings. There is simply no suggestion or motivation to use the cap of Lim on a cable without a shield. One of the main purposes of the cap in Lim is to ground a shielded cable terminated to the connector and to provide a continuous electrical path through the cable and the connector. There is simply no motivation to use a conductive cap as in the cap of Lim if the cap is not going to be used to ground a shielded cable.

Thus, in view of the above statements, withdrawal of the rejection of claims 55-58 and 60-62 over Lim in view of Sangree et al, and further in view of Arnett et al is respectfully requested.

In the Office Action, claim 59 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Lim in view of Sangree et al and Arnett et al as applied to claim 55 above, and further in view of Roselle et al 4820196. Applicants respectfully traverse this rejection.

Roselle et al fails to remedy the deficiencies of Lim in combination with Sangree et al and Arnett et al. Specifically, Roselle et al fails to disclose a cap including an electrically non-conductive material which is impregnated with an electrically conductive material such that the cap is overall electrically non-conductive, wherein the electrically conductive material of the cap is not constructed to be grounded when the jack is terminated to a cable. For at least this reason, claim 59 is believed to be patentable over Lim in view of Sangree et al and Arnett et al, and further in view of Roselle et al and withdrawal of this rejection is respectfully requested.

Respectfully submitted,

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